



RECEIVED
CENTRAL FAX CENTER
AUG 19 2008

FACSIMILE COVER SHEET

Date: Aug. 19, 2008

To:	Mail Stop PETITIONS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Facsimile:	(571) 273-8300
From:	VERENIUM CORPORATION (Customer No. 29062) Intellectual Property Department P.O. Box 910550 San Diego, California 92121-0550 USA	Facsimile:	(858)526-5796
		Phone:	(858)526-5450
		e-mail:	Rick.delatorre@verenum.com

Re:	Application No.:	09/777,566	Filed:	05-Feb-2001
	Patent No.:	7,232,677	Issued:	19-Jun-2007
	Examiner:	D. Ramirez	Group Art Unit:	1652
	Customer No:	29062	Confirmation No.:	4776
	Inventor(s):	Short		
	Title:	Phytase Expression Systems and Methods of Making and Using Them		
	Attorney Docket:	564462001802/D1370-6US		

Page(s)	
Transmittal Form	1
Petition for Correction of Inventorship 37 CFR 1.324	2
Statement by Jay Short	2
Statement by Keith Kretz	2
Statement Under 37 CFR 3.73(b)	1
Written Consent of Assignee for Petition	1
Substitute Declaration for Patent Application	4
Completed SB/44 Certificate of Correction	1
Petition Fee Transmittal and Duplicate	2
Total pages (including this page):	17

Certificate

AUG 21 2008

of Correction

If you are not receiving this fax property or have not received all pages, please telephone us immediately at the contact information listed on this page.

CONFIDENTIALITY NOTICE: This fax (including any accompanying pages) is intended for the use of only the individual to which it is addressed and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient (or an employee or agent responsible for delivering the message to the intended recipient), you are hereby notified that any dissemination, distribution, or copying of this communication—or the taking of any action in reliance on the contents of this information—may be strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the above address by the U.S. Postal Service. Thank you.

RECEIVED-USPTO
AUG 21 2008

RECEIVED
CENTRAL FAX CENTER
AUG 19 2008

PTO/SB/21 (08-08)

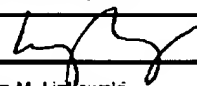
Approved for use through 08/31/2008. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

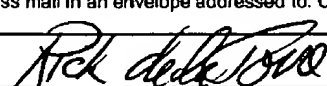
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/777,566; Patent Number: 7,232,677
	Filing Date	Feb. 5, 2001; Issue Date: Jun. 19, 2007
	First Named Inventor	Short
	Art Unit	1652
	Examiner Name	D. Ramirez
Total Number of Pages in This Submission 16	Attorney Docket Number	564462001802/D1370-6US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition for Corr. of Inventors under 37 CFR 1.324 (2 pages) See Remarks for other enclosures
Remarks Statement - Jay Short (2 pages); Statement - Keith Kretz (2 pages); Statement under 37 CFR 3.73(b) (1 page); Consent of Assignee (1 page); Substitute Declaration (4 pages); Completed Form SB/44 Certificate of Correction (1 page)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Verenium Corporation		
Signature			
Printed name	Lynn M. Linowski		
Date	8/19/08	Reg. No.	47,320

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Rick de la Torre	Date	8/15/08

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AUG 21 2008

RECEIVED
08-19-2008
CENTRAL FAX CENTER
AUG 19 2008

PTO/SB/17p (08-08)

Approved for use through 08/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision) Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	09/777,566; Issued 7,232,677
	Filing Date	Feb. 5, 2001; Issued Jun. 19, 2007
	First Named Inventor	Short
	Art Unit	1652
	Examiner Name	D. Ramirez
	Attorney Docket Number	564462001802/D1370-6US

Enclosed is a petition filed under 37 CFR 1.324 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 500661:

☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.36(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.376(a) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

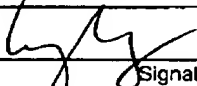
For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.



 Signature
 Lynn M. Linkowski

 Typed or printed name

8/19/08

 Date
 47, 320

 Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.** 2008

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER
AUG 19 2008

PTO/SB/17p (08-08)
 Approved for use through 08/31/2008. OMB 0651-0031
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision) Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	09/777,566; Issued 7,232,677
	Filing Date	Feb. 5, 2001; Issued Jun. 19, 2007
	First Named Inventor	Short
	Art Unit	1652
	Examiner Name	D. Ramirez
	Attorney Docket Number	564462001802/D1370-6US

Enclosed is a petition filed under 37 CFR 1.324 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 500661:

☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.36(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(a) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(a) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

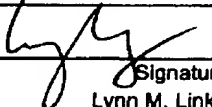
For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.


 Signature
 Lynn M. Linkowski
 Typed or printed name

8/19/08
 Date
 47, 320
 Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. AUG 21 2008

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

COPY

RECEIVED
CENTRAL FAX CENTER
AUG 19 2008

Docket No.: 56446.2001802/D1370-6US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT

Confirmation Number: 4776

Patent No.: 7,232,677 Issued: 19-Jun-2007

Art Unit: 1652

Application No: 09/777,566 Filed: 05-Feb-2001

Examiner: D. Ramirez

For: PHYTASE EXPRESSION SYSTEMS AND
METHODS OF MAKING AND USING THEM

PETITION FOR CORRECTION OF INVENTORSHIP OF PATENT
PURSUANT TO 37 C.F.R. § 1.324

MAIL STOP: PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a petition for correction of error in the misjoinder of Keith A. KRETZ as inventor in the above issued patent. It is respectfully requested that this petition be granted and this file forwarded to the Certificate of Corrections Branch for issuance of a certificate correcting the error, to delete Keith A. KRETZ.

Enclosed herewith is:

1. A statement under 37 C.F.R. § 1.324(b)(2) from Jay M. Short, stating he has no disagreement to the change of inventorship, and the error occurred without any deceptive intention on his part.

08/20/2008 VBUI11 00000038 500661 09777566
01 FC:1464 130.00 DA

RECEIVED-USPTO
Patent Collection

AUG 21 2008

RECEIVED
CENTRAL FAX CENTER
AUG 19 2008

Docket No.: 56446.2001802/D1370-6US

2. A statement under 37 C.F.R. § 1.324(b)(2) from Keith A. Kretz, who is being deleted as inventor, stating the error occurred without any deceptive intention on his part and he has no disagreement with the change in inventorship.

3. A statement under 37 C.F.R. § 1.373(b), establishing right of assignee to take action.

4. Written consent of the assignee under 37 C.F.R. § 1.324(b)(3).

5. Substitute Declaration for Patent Application.


6. Completed PTO/SB/44, Certificate of Correction.

Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 500661. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 500661.

Respectfully submitted,

Date:

8/19/08


Lynn Linkowski
Reg. No. 47,320
Telephone: 858-526-5450
Fax: 858-526-5796

Verenium Corporation
Intellectual Property Department
4955 Directors Place
San Diego CA 92121

RECEIVED-USPTO
FAX RECEIPT

AUG 21 2008

**RECEIVED
CENTRAL FAX CENTER
AUG 19 2008**

Docket No.: 56446.2001802/D1370-6US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT

Confirmation Number: 4776

Patent No.: 7,232,677 Issued: 19-Jun-2007

Art Unit: 1652

Application No: 09/777,566 Filed: 05-Feb-2001

Examiner: D. Ramirez

For: PHYTASE EXPRESSION SYSTEMS AND
METHODS OF MAKING AND USING THEM

**STATEMENT BY JAY M. SHORT IN SUPPORT OF REQUEST FOR CORRECTION OF
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Jay M. SHORT, declare as follows:

- 1) I reside at 12985 Via Esperia, Del Mar, California, 92014;
- 2) I am the sole inventor of the above-referenced patent, U.S. Patent No. 7,232,677 entitled "PHYTASE EXPRESSION SYSTEMS AND METHODS OF MAKING AND USING THEM" filed on February 5, 2001, and issued on June 19, 2007, and have no disagreement to the change of inventorship, deleting Keith A. KRETZ's name; and
- 3) This error in inventorship occurred without any deceptive intent on my part.

**RECEIVED-USPTO
Patent Application**

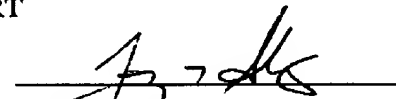
AUG 21 2008

Docket No.: 56446.2001802/D1370-6US

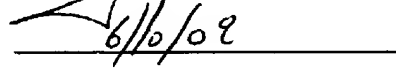
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Jay M. SHORT

Signature:



Date:



RECEIVED USPTO
AUG 21 2008

AUG 21 2008

Docket No.: 56446.2001802/D1370-6US
(PATENT)

RECEIVED
CENTRAL FAX CENTER
AUG 19 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT

Confirmation Number: 4776

Patent No.: 7,232,677 Issued: 19-Jun-2007

Art Unit: 1652

Application No: 09/777,566 Filed: 05-Feb-2001

Examiner: D. Ramirez

For: PHYTASE EXPRESSION SYSTEMS AND
METHODS OF MAKING AND USING THEM

**STATEMENT BY KEITH A. KRETZ IN SUPPORT OF REQUEST FOR CORRECTION
OF INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Keith A. KRETZ, declare as follows:

- 1) I reside at 973 Hawthorne Court, San Marcos, CA 92069;
- 2) I was mistakenly included as an inventor of an invention claimed in the above-referenced patent, U.S. Patent No. 7,232,677 entitled "PHYTASE EXPRESSION SYSTEMS AND METHODS OF MAKING AND USING THEM" filed on February 5, 2001, and issued on June 19, 2007, and I have no disagreement to the change of inventorship, deleting Keith A. KRETZ's name; and

- 3) This error in inventorship occurred without any deceptive intent on my part.

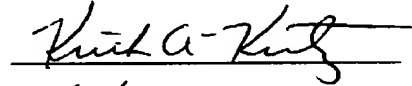
AUG 21 2008

Docket No.: 56446.2001802/D1370-6US
(PATENT)

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Keith A. KRETZ

Signature:



Date:

6/9/08

AUG 21 2008

RECEIVED
CENTRAL FAX CENTER
AUG 19 2008

PTO/SB/96 (01-08)

Approved for use through 02/29/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Short et al.Application No./Patent No.: US7232677 Filed/Issue Date: June 19, 2007Entitled: **PHYTASE EXPRESSION SYSTEMS AND METHODS OF MAKING AND USING THEM**

VERENIUM CORPORATION, a CORPORATION
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
 (The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:


1. From: Jay Short, Keith Kretz To: Diversa Corporation
 The document was recorded in the United States Patent and Trademark Office at
 Reel 020218, Frame 0475, or for which a copy thereof is attached.
2. From: Diversa Corporation To: Verenium Corporation
 The document was recorded in the United States Patent and Trademark Office at
 Reel 020403, Frame 0516, or for which a copy thereof is attached.
3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


 Signature
 William H. Baum

June 12, 2008
 Date
 858-526-5110

Printed or Typed Name
 Executive Vice President, Business Development
 Title

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED USPTO
ADMINISTRATIVE
AUG 21 2008

RECEIVED
CENTRAL FAX CENTER
AUG 19 2008

Docket No.: 56446.2001802/D1370-6US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT

Confirmation Number: 4776

Patent No.: 7,232,677 Issued: 19-Jun-2007

Art Unit: 1652

Application No: 09/777,566 Filed: 05-Feb-2001

Examiner: D. Ramirez

For: PHYTASE EXPRESSION SYSTEMS AND
METHODS OF MAKING AND USING THEM

CONSENT OF ASSIGNEE FOR REQUEST TO CORRECT INVENTORSHIP
PURSUANT TO 37 C.F.R. § 1.324(b)(3)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Verenium Corporation is the assignee of the above-captioned patent application as recorded in the Patent and Trademark Office at Reel 020403, Frame 0516. Verenium Corporation is fully aware of the Request to Correct Inventorship to delete Keith A. KRETZ as a co-inventor. Accordingly, Verenium Corporation consents to the change in inventorship.

Verenium Corporation

Signature: 

Name: William H. Baum

Title: Executive Vice President,
Business Development

Date: June 12, 2008

sd-351040

RECEIVED
EXAMINATION

AUG 21 2008

DI 370-6 US/564462001802

Attorney Docket No.: Error! Unknown document property name.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**SUBSTITUTE DECLARATION FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PHYTASE EXPRESSION SYSTEMS AND METHODS OF MAKING AND USING THEM (AS AMENDED ON 11/21/03)

the specification of which was filed on February 5, 2001 as Application No. 09/777,566.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no foreign applications have been filed

☐ foreign application(s) have been filed as follows:

ERROR! UNKNOWN DOCUMENT PROPERTY NAME.
sd-349649

1

RECEIVED
AUG 21 2008

AUG 21 2008

D1370-6US/564462001802

Attorney Docket No.: Error! Unknown document property name.

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

- ☒ no U.S. provisional applications have been filed.
- ☐ U.S. provisional application(s) have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		___ Yes No ___
		___ Yes No ___
		___ Yes No ___

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all

AUG 21 2008

DI370-6US/564462001802

Attorney Docket No.: Error! Unknown document property name.

information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

- ☐ no U.S./PCT applications have been filed.
- ☒ U.S./PCT application(s) have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)
09/318,518	May 25, 1999	Patent No.: 6,183,740
09/291,931	April 13, 1999	Patent No.: 6,190,897
09/259,214	March 1, 1999	Patent No.: 6,110,719
08/910,798	August 13, 1997	Patent No.: 5,876,997

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 45975

all of **Morrison & Foerster LLP**, 12531 High Bluff Drive, Suite 100, San Diego, California 92130-2040, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Gregory P. Einhorn , whose address is:

Morrison & Foerster LLP
12531 High Bluff Drive, Suite 100
San Diego, California 92130-2040

sd-349647

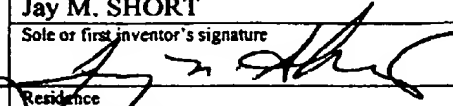
3

RECEIVED
AUG 21 2008

*D1370-6US/564462001802*Attorney Docket No.: **Error! Unknown document property name.**

Please direct telephone calls to: Gregory P. Einhorn at (858) 720-5133.

Please direct facsimiles to: (858) 720-5125.

Full name of sole or first inventor	
Jay M. SHORT	
Sole or first inventor's signature	Date
	May 7, 2007
Residence	
Del Mar, California	
Citizenship US	
Mailing Address	
12985 Via Esperia Del Mar, California 92014	

RECEIVED USPTO
EXAMINATION

AUG 21 2008

sd-349649

PTO/SB/44 (08-07)

Approved for use through 08/31/2010. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
(Also Form PTO-1050)**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 7,232,677

APPLICATION NO.: 09/777,566

ISSUE DATE : June 19, 2007

INVENTOR(S) : Short et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Page 1, section "(75) Inventors: Jay M. Short, Rancho Santa Fe, CA (US); Keith A. Kretz, San Marcos, CA (US)" should be changed to --(75) Inventor: Jay M. Short, Del Mar, CA (US)--

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Verenium Corporation (formerly Diversa Corporation)
P.O. Box 910550
San Diego, California 92191-0550

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AUG 21 2008